

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

UNITED STATES OF AMERICA,

v.

Criminal Action No. 2:14-cr-27-2

**ANGIE LYN GRABER,
Defendant.**

AMENDED¹ ORDER/OPINION

On April 6, 2015, came Defendant, Angie Lyn Graber, in person and by counsel, Katy Cimino, and also came the United States by its Assistant United States Attorney, Stephen Warner, pursuant to a Petition for Warrant or Summons for Offender Under Supervision filed in this case on March 30, 2015, alleging Defendant violated conditions of her probation as follows:

1. The defendant shall not commit another federal, state or local crime.
2. The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance.
3. The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.

Prior to the taking of any testimony and evidence, Defendant waived her preliminary hearing, conceding that probable cause existed to forward this revocation matter to United States District Judge John Preston Bailey for hearing and disposition. Upon consideration of which, the Court finds there is probable cause to believe that Defendant violated conditions of her probation as alleged in the Petition for Warrant or Summons for Offender Under Supervision filed March 30, 2015. It is therefore **ORDERED** that Defendant be bound over for a full hearing before the Honorable John

¹ The purpose of this Amended Order/Opinion is to correct that while Defendant waived her preliminary hearing, she did not do so in writing.

Preston Bailey, United States District Judge for the Northern District of West Virginia, on the violations alleged in the Petition for Warrant or Summons for Offender Under Supervision dated March 30, 2015. Defendant further waived her right to a detention hearing; accordingly, Defendant is **REMANDED** to the custody of the United States Marshal Service pending further proceedings in this matter.

It is so **ORDERED**.

The Clerk of the Court is directed to provide a copy of this Order to counsel of record.

DATED: April 13, 2015

/s/ John S. Kaull

JOHN S. KAULL
UNITED STATES MAGISTRATE JUDGE